

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SHEIK A.L. MARTIN ALI EL-BEY,)
Plaintiff,)
v.)
KANSAS CITY, MISSOURI POLICE)
DEPARTMENT AND ITS)
COMMISSIONERS, et al.,)
Defendants.)
No. 4:20-CV-1477-SRW

MEMORANDUM AND ORDER OF TRANSFER

On October 13, 2020, self-represented plaintiff Sheik A.L. Martin Ali El-Bey, a civilly committed person currently housed at Fulton State Hospital, filed this civil rights complaint in this Court. For the reasons set forth below, the Court concludes this action should be transferred to the United States District Court for the Western District of Missouri.

The complaint names as defendants Kansas City, Missouri Police Department and its Commissioners; Janette Rodecap, Jackson County Circuit Court Judge; and the Missouri Department of Mental Health. Although plaintiff's allegations are unclear, he appears to be alleging he is being involuntarily medicated at Fulton State Hospital. Plaintiff also alleges he is a "Moorish Masonic Bona Fide Adept Official" being held against his will "when simultaneously the aforesaid license credential commission authority currently exists that is automatically suppose[d] to bestow upon complainant sovereign diplomatic immunity thr[ough] their very existence."

Pursuant to 28 U.S.C. § 1333, venue over civil rights actions properly lies only in: (1) a judicial district where any defendant resides, if all defendants reside in the same State; (2) a judicial

district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found if there is no district in which the action may otherwise be brought. If venue does not properly lie in the district where the action is filed, the Court must either dismiss the action, or if it be in the interest of justice, transfer the action to the proper district. 28 U.S.C. § 1406(a).

In the instant action, defendants Kansas City, Missouri Police Department and Janette Rodecap, Jackson County Circuit Court Judge, reside in the Western District of Missouri. Moreover, a substantial part of the conduct complained of occurred at Fulton State Hospital in Callaway County, Missouri, which is also in the Western District of Missouri. *See* 28 U.S.C. § 105(b)(4). Accordingly, pursuant to 28 U.S.C. § 1391(b)(2), venue for this action properly lies in the United States District Court for the Western District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall transfer this case to the United States District Court for the Western District of Missouri. *See* 28 U.S.C. § 1406(a).

IT IS FURTHER ORDERED that all pending motions in this action shall be administratively terminated after transfer of this action.

Dated this 15th day October, 2020.


STEPHEN N. LMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE